Section 3
Consultation, Issue Identification and Prioritisation

PREAMBLE

This section describes the consultation undertaken during the design and evaluation phase of the Proposal, as well as during the preparation of this Environmental Impact Statement.

This section also considers the planning and legislative context within which the Proposal would operate and describes any environmental issues that are raised from these instruments that should be addressed within the EIS. Relevant NSW State environmental planning policies and local government plans are included in the review as well as any additional policies and guidelines that are relevant to the Proposal.

This information was used to prioritise all relevant environmental issues requiring assessment.
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3.1 INTRODUCTION

In order to undertake a comprehensive assessment of the environmental impacts arising from the Proposal, appropriate emphasis needs to be placed on those issues likely to be of greatest significance to the local environment, neighbouring landowners and the local and broader community. To ensure this has occurred, a program of community and government agency consultation, and a review of environmental planning documentation has been undertaken to identify relevant environmental issues for assessment. This was followed by an analysis of the risk posed by each potential impact in order to prioritise the assessment of the identified environmental issues within the Environmental Impact Statement.

3.2 CONSULTATION

3.2.1 Community Consultation

The following information describes the consultation undertaken by the Applicant with the local and surrounding landholders and the broader community with respect to the Proposal. The Applicant notes that a range of consultation was undertaken for a previous waste-related Proposal. The Applicant has, in part in response to Community concerns, withdrawn that application. This subsection describes only that consultation undertaken for the current Proposal.

Consultation with Neighbouring Landholders

The Applicant has undertaken a long-term program of consultation with surrounding landholders since the Applicant first became associated with the Mine Site in mid-2007. Various uses for the Mine Site have previously been discussed with neighbouring landholders and, as a result of consultation, this alternative Proposal has been developed. Consultation has included one-on-one meetings and informal conversations on-site and via telephone and email.

Consultation with the Wider Community

In June 2016 the Applicant distributed “Connecting with the Community – Issue #5” newsletter. That document escribed the Proposal as it was then understood. The newsletter was distributed to:

- all residents and businesses in Ardlethan and Beckom:
- Coolamon and Bland Shire Councils:
- local State and Federal Members of Parliament; and
- regional print, radio and TV media outlets who all subsequently reported on the Applicant’s plans to re-open the mine.

Subsequently the Applicant has held numerous telephone conversations and email correspondence with members of the community in relation to the Proposal.
In early November 2016 a further newsletter was circulated to the above recipients. The newsletter outlined the approval process and timetable and contained an invitation for members of the community to attend a Community Consultation Meeting in Ardlethan on 26 November 2016 to learn more about the Proposal and for the Applicant to seek feedback in relation to the proposed activities from the community.

Following release of the newsletter, the Proposal was widely reported in regional print, radio and TV media outlets, with Mr Francis, Director of EOE (No.75) Pty Limited interviewed by ABC local radio and by the Daily Advertiser on 2 November 2016.

Prior to the community meeting, the Applicant received a request to amend the format of the meeting from a “drop in” information session to a “town hall” style presentation to minimise the amount of time required of the attendees. As the local grain harvest was in full swing, the Applicant agreed to this request.

The Community meeting was held at the Ardlethan Bowling Club between 9:00am and 12:30pm on 26 November 2016. The original 12:00pm finishing time was extended because numerous attendees requested additional information and to allow for all those who wished to do so to speak to the Applicant.

The presentation component of the meeting was held between 10:00am and 11:15am, with approximately 170 attendees present. The Applicant gratefully acknowledges the fact that the operator of the local grain silo agreed to close their operation for the duration of the presentation to permit its employees and others to attend the presentation.

During the formal presentation the Applicant described the proposed activities. An overview of the anticipated environmental impacts was also presented before questions were taken from the floor. Following the presentation, further discussions with individual community members were held.

Based on the questions and comments provided during the question and answer session following the presentation, as well as during subsequent discussions, Table 3.1 presents the principal community concerns/issues.

### 3.2.2 Government Agency Consultation

#### 3.2.2.1 Introduction

Both formal and informal consultation was undertaken with a range of government agencies at a State and local level throughout the preparation of this document. The following subsections provide an overview of government agency consultation.
### Table 3.1

**Issues Raised during Community Meeting – 26 November 2016**

<table>
<thead>
<tr>
<th>Issue</th>
<th>Applicant Response/Where Addressed</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Waste Proposal</strong></td>
<td>• Significant community concern in relation to the previous waste Proposal was raised.</td>
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<tr>
<td></td>
<td>• The Applicant noted that the waste Proposal had been withdrawn and committed to contacting the Department of Planning and Environment again to request that the Proposal be removed from the Department’s website. The resulting letter was subsequently provided to Coolamon Shire Council and the Applicant’s website was amended to reflect the fact that the application had been withdrawn.</td>
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<tr>
<td></td>
<td>• During subsequent media interviews the Applicant stated that the waste Proposal was “dead” and that once tailings has been relocated to the Ardwest/Wild Cherry Open Cut, that that void would no longer be available to receive waste, sterilising any future waste-related Proposal.</td>
</tr>
<tr>
<td><strong>Pollution of Water</strong></td>
<td>• This issue was raised by a number of community members in relation to both groundwater and surface water.</td>
</tr>
<tr>
<td></td>
<td>• The Applicant provided an overview of the information that was available at the time of the Presentation and committed to including a full impact assessment in this document (see Sections 4.2 and 4.3).</td>
</tr>
<tr>
<td><strong>Community Contributions</strong></td>
<td>• The question of community contributions and road maintenance was raised.</td>
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<tr>
<td></td>
<td>• The Applicant noted that it would be required to negotiate a Voluntary Planning Agreement with Coolamon Shire Council for the Proposal and that that agreement would address the matters raised (see Section 2.13.3).</td>
</tr>
<tr>
<td><strong>Removal of Arsenic</strong></td>
<td>• One community member asked if it was possible to remove other elements such as arsenic from the reprocessed tailings.</td>
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<tr>
<td></td>
<td>• The Applicant noted that the Proposal relies on gravity separation methods to separate Cassiterite from the remaining, less dense, minerals. Arsenic-bearing minerals do not have the density differential that would permit separation using the proposed processing methodology.</td>
</tr>
<tr>
<td><strong>Exhibition period</strong></td>
<td>• A number of community members noted that December is typically very busy for sections of the Ardlethan community and that many families are on holidays in January. As a result, those individuals requested that the exhibition period be extended.</td>
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<tr>
<td></td>
<td>• The Applicant noted the concerns of the community members and agrees to discuss the matter with Coolamon Shire Council. However, the dates of the exhibition period are a matter for Council, not the Applicant.</td>
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</tbody>
</table>
3.2.2.2 Secretary’s Environmental Assessment Requirements

A Background Paper was prepared and submitted to the Department of Planning and Environment (DPE) to support a request for Secretary’s Environmental Assessment Requirements (SEARs) for the Proposal. The Background Paper was also provided to the following government agencies and public authorities, who were subsequently contacted by DPE with a request to provide input to the formulation of the SEARs.

- Coolamon Shire Council (CSC).
- NSW Environment Protection Authority (EPA).
- NSW Office of Environment and Heritage (OEH).
- Department of Primary Industries – Office of Water (DPI-Water).
- Department of Primary Industries – Land (DPI-Land).
- NSW Roads & Maritime Services (RMS).
- Department of Industry – Division of Resources and Energy (DRE).

The request for SEARs was lodged with DPE on the 14 July 2016. Following the confirmation of attendance at a Planning Focus Meeting (PFM) on the 12 August 2016 (see Section 3.2.2.3) by respective State and local government agencies, a request to extend the deadline for provision of the SEARs was submitted to the DPE on the 26 July 2016. The DPE agreed to the extension of the deadline for provision of the SEARs until 26 August 2016 as it considered that the Planning Focus Meeting would aid the identification of key constraints and issues and inform the SEARs. The SEARs were subsequently issued by the DPE on the 1 September 2016. Appendix 2 presents a copy of the SEARs and Appendix 3 presents a tabulated summary of the SEARs, along with the relevant section of this EIS in which each requirement is addressed.

3.2.2.3 Planning Focus Meeting

A Planning Focus Meeting (PFM) was held for the Proposal on 12 August 2016 with the following government agencies in attendance.

- Coolamon Shire Council (CSC).
- NSW Environment Protection Authority (EPA).
- NSW Office of Environment and Heritage (OEH).
- Department of Primary Industries – Office of Water (DPI-Water).
- Department of Primary Industries – Land (DPI-Land).
- Department of Industry – Division of Resources and Energy (DRE).

During the meeting, an overview of the Proposal was presented and attendees inspected the Mine Site. Following the site inspection the attending government agencies verbally outlined the issues from their perspective that the Environmental Impact Statement should address. A number of these issues and others (including submissions by government agencies who could not attend the PFM) were subsequently provided to the DPE in response to the request for SEARs from the DPE.
3.3 PLANNING CONTEXT

3.3.1 Introduction

A range of Commonwealth and NSW Legislation, policies and guidelines apply to the Proposal. These documents were reviewed to identify any environmental aspects requiring consideration in the Environmental Impact Statement. In addition, the SEARs identified a number of guideline documents that would potentially be of assistance during the preparation of the Environmental Impact Statement (see Appendix 2). A brief summary of each relevant piece of legislation and planning instrument is provided in the following subsections. The application and relevance of planning instruments related to specific environmental issues have been addressed in Section 4 and / or the relevant Specialist Consultant assessments.

3.3.2 Commonwealth Legislation

The key Commonwealth legislation relating to the Proposal is the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act). The Act covers ‘Matters of National Environmental Significance’. Relevant matters of national environmental significance include:

- listed threatened species and ecological communities; and
- listed migratory species protected under international agreement.

‘Actions’ are defined under the EPBC Act to include projects and developments. Actions which would or would be likely to have significant impacts on Matters of National Environmental Significance, or which might significantly impact on Commonwealth land, are ‘controlled actions’. The Minister for the Environment determines whether a proposed action is a controlled action for the purpose of the EPBC Act. The carrying out of controlled actions are prohibited, unless approved by the Minister.

As the Ecological Assessment completed for the Proposal (Envirokey, 2016) (see Section 4.7), confirmed that the Proposal would not adversely impact on any Matters of National Environmental Significance and therefore it is not required to be referred under the EPBC Act.

3.3.3 NSW Legislation

3.3.3.1 Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (EP&A Act) provides the framework for the assessment and approval of development in NSW and is administered by the Department of Planning and Environment.

The EP&A Act aims to protect and conserve the environment through ecologically sustainable development. This is achieved through managing development to conserve resources, including agricultural land, natural areas, forests, minerals, water, and towns with the purpose of promoting social and economic welfare of the community and an enhanced environment.
Development consent is required under the EP&A Act for the purposes identified under the Coolamon Local Environment Plan 2011 (see Section 3.3.5). The Proposal may be classified as development which is permissible with development consent (refer to Section 3.3.5).

The Proposal is classified as Local Development with Coolamon Shire Council the determining authority because the capital investment value would be less than the identified:

- $30 million for State Significant Development under Clause 5 of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011 (State and Regional Development SEPP); and
- $20 million for Regional Development under Clause 3 of Schedule 4A of the Environmental Planning and Assessment Act 1979.

The Proposal may also be classified as a Designated Development as it exceeds the 4ha disturbance criteria identified by Clause 25 of Schedule 3 of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). As a result, this EIS has been prepared to support the application for development consent.

The Proposal may also be classified as Integrated Development under Section 91 of the EP&A Act as the following additional approvals will be required (see also Section 2.1.3).

- A Mining Lease under the Mining Act 1992. It is noted that a range of mineral authorities are held by the Applicant for the Proposal and that while no further authorities are to be sought, these authorities are “required” for the Proposal to be carried out.
- A water access licence and water supply works approval (for the supply of water for processing operations), an aquifer interference approval (for removal of water from the Ardwest/Wild Cherry Open Cut) and a controlled activity approval (for rehabilitation of waterfront land within Spring Valley) under Sections 89, 90, 91(2) and 91(3) of the Water Management Act 2000 respectively.
- A permit under Section 138 of the Roads Act 1993.

3.3.3.2 Protection of the Environment Operations Act 1997

The POEO Act provides the framework for regulation and reduction of pollution and waste in NSW. The POEO Act is regulated by the Environment Protection Authority (EPA), which issues environment protection licences (EPLs) for wide-ranging scheduled activities, including mining for minerals, mineral processing and crushing, grinding or separating works.

The POEO Act also requires immediate reporting of pollution incidents which cause or threaten to cause material harm to the environment. All holders of EPLs are required to prepare, implement and regularly test Pollution Incident Response Management Plans.
An EPL will be required, as the Proposal exceeds the following criteria.

- Capacity to process more than 150t of ore per day specified in Clause 27 of Schedule 1, of the POEO Act.
- More than 4ha disturbance area specified in Clause 29 of Schedule 1, of the POEO Act.

### 3.3.3.3 Mining Act 1992

The *Mining Act 1992* (Mining Act) aims to encourage and facilitate the discovery and development of mineral resources in NSW. The Mining Act provides the framework for exploration, development, operation and closure of mines, and provides for the management of exploration licences and mining leases to allow access to mineral resources.

Section 1.4.1 and Table 1.2 identify the Mineral Authorities held for the Proposal. The Applicant has been advised that no further Mineral Authorities are required. In particular, extraction and processing of previously stockpiled tailings is an activity that is permissible under a Mining Purpose Lease, including MPL112.

### 3.3.3.4 Water Management Act 2000

An objective of the *Water Management Act 2000* (WM Act) is the sustainable and integrated management of the State’s water for the benefit of both present and future generations. The WM Act provides clear arrangements for controlling land-based activities that affect the quality and quantity of the State’s water resources. It provides for four types of approval, namely:

- water use approval (Section 89) – including a Water Access Licence which would be required for the supply of makeup water for processing operations;
- water management work approval (Section 90) – including a water supply Works Approval which would be required for the use of infrastructure required to deliver makeup water to the Mine Site;
- controlled activity approval (Section 91(2) – which would be required for rehabilitation works within 40m of the watercourse in Spring Valley; and
- aquifer interference activity approval (Section 91(3) – which would be required for the removal of water from the Ardwest/Wild Cherry Open Cut.

### 3.3.3.5 Roads Act 1993

The *Roads Act 1993* (Roads Act) applies to public roads in NSW and, depending upon the type of road, is administered by the Roads & Maritime Service or by a local council.

Consent is required under Section 138 of the Roads Act for works or structures that disturb the surface of a public road or connect a road to a classified road. A permit under the Roads Act for works on Tin Mines Road and the intersection with Bygoo Rood would be required from Council.
3.3.3.6 National Parks and Wildlife Act 1974

The *National Parks and Wildlife Act* 1974 (NP&W Act) aims to manage and conserve nature, objects, places and features that have ecological and cultural value. The NP&W Act is administered and enforced by the OEH.

Aboriginal places and objects are protected under the NP&W Act. The Director-General has a database of information and records regarding Aboriginal objects whose existence and location have been reported, known as the Aboriginal Heritage Information Management System.

No Aboriginal places or objects would be disturbed by the Proposal (Pardoe, 2016 – refer to Section 4.7.9).

3.3.3.7 Threatened Species Conservation Act 1995

The *Threatened Species Conservation Act* 1995 (TSC Act) aims to conserve biodiversity and promote ecologically sustainable development by preventing extinction and promoting recovery of threatened species, populations, ecological communities and their habitats. This is done through eliminating and managing threats to the survival or evolutionary development of species, populations, ecological communities, such as the impacts of development.

This Act has been considered in Envirokey (2016), a summary of which is described in Section 4.7.

3.3.3.8 Heritage Act 1995

The *Heritage Act* 1977 aims to promote and protect the State’s heritage, by preventing harm to buildings, relics or places that are on the State Heritage Register.

Under the Heritage Act, approval is required to carry out development on land on which an item listed on the State Heritage Register is located or that is subject to an interim heritage order. A conservation management plan may be entered into with respect to conserving an item listed on the State Heritage Register.

No listed places or objects would be disturbed by the Proposal (refer to Section 4.8).

3.3.4 NSW Planning Issues

The following three State Environmental Planning Policies (SEPPs) are relevant to the Proposal.

**State Environmental Planning Policy (State and Regional Development) 2011**

This SEPP was gazetted on 28 September 2011 and applies to all projects satisfying nominated criteria made following that date. One of the purposes of this SEPP is to define those developments which may be classified as State Significant or Regional Development.
The Proposal is not classified as State Significant Development because the capital investment value is less than the nominated $30 million threshold identified in Clause 5 of Schedule 1 of the SEPP.

Similarly, the Proposal is not classified as Regional Development because the capital investment value is less than the nominated $20 million threshold identified in Clause 3 of Schedule 4A of the Environmental Planning and Assessment Act 1979.

State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007

The State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007 (Mining SEPP) specifies matters requiring consideration in the assessment of any mining, petroleum production and extractive industry development. Table 3.2 presents a summary of the matters that the determining authority must consider when assessing a new or modified Proposal (Part 3 – Clauses 12 to 17 of the SEPP) and a reference to the section(s) in this Environmental Impact Statement where each relevant element of the SEPP is addressed.

State Environmental Planning Policy No. 33 – Hazardous and Offensive Development

Hazardous and offensive industries, and potentially hazardous and offensive industries, relate to industries that, without the implementation of appropriate impact minimisation measures, would (or potentially would) pose a significant risk in relation to the locality, to human health, life or property, or to the biophysical environment.

In accordance with State Environmental Planning Policy No. 33 – Hazardous and Offensive Development (SEPP 33), the hazardous materials to be held or used within the Project Site are required to be identified and classified in accordance with the risk screening method contained within the Appendix 4 of Applying SEPP 33 January 2011 (DPE (formerly DoP), 2011). Hazardous materials are defined within that document as substances falling within the classification of the Australian Code for the Transportation of Dangerous Goods by Road and Rail (Dangerous Goods Code) (National Transport Commission, 2009).

The Applicant notes that the potentially hazardous goods that would be used or stored within the Mine Site would include diesel and other hydrocarbons, which are classified as Combustible Liquids (C1). As no other flammable materials would be used or stored on the Mine Site, Combustible Liquids (C1) are not considered to be potentially hazardous (refer to Section 7.1 of DPE, 2011). No risk screening is therefore required and SEPP 33 is not considered further in this EIS.

State Environmental Planning Policy No. 44 – Koala Habitat Protection

State Environmental Planning Policy No. 44 – Koala Habitat Protection aims to encourage the proper conservation and management of Koala habitat. As the Coolamon Local Government Area is not identified in Schedule 1 of the SEPP as an area in which potential habitat may exist this SEPP is not considered further in the EIS.
### Table 3.2
Application of Part 3 of the Mining SEPP

<table>
<thead>
<tr>
<th>Relevant SEPP Clause</th>
<th>Description</th>
<th>EIS Section</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>12AB: Non-discretionary development standards for mining</strong></td>
<td>Cumulative noise level&lt;br&gt;The development does not result in a cumulative amenity noise level greater than the acceptable noise levels, as determined in accordance with Table 2.1 of the Industrial Noise Policy, for residences that are private dwellings.</td>
<td>4.5.6</td>
</tr>
<tr>
<td></td>
<td>Cumulative air quality level&lt;br&gt;The development does not result in a cumulative annual average level greater than 30µg/m³ of PM₁₀ for private dwellings.</td>
<td>4.4.7</td>
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<td></td>
<td>Airblast overpressure&lt;br&gt;Airblast overpressure caused by the development does not exceed:&lt;br&gt;(a) 120dB (Lin Peak) at any time, and&lt;br&gt;(b) 115dB (Lin Peak) for more than 5% of the total number of blasts over any period of 12 months, measured at any private dwelling or sensitive receiver.</td>
<td>Not Applicable</td>
</tr>
<tr>
<td></td>
<td>Ground vibration&lt;br&gt;Ground vibration caused by the development does not exceed:&lt;br&gt;(a) 10mm/sec (peak particle velocity) at any time, and&lt;br&gt;(b) 5mm/sec (peak particle velocity) for more than 5% of the total number of blasts over any period of 12 months, measured at any private dwelling or sensitive receiver.</td>
<td>Not Applicable</td>
</tr>
<tr>
<td></td>
<td>Aquifer interference&lt;br&gt;Any interference with an aquifer caused by the development does not exceed the respective water table, water pressure and water quality requirements specified for item 1 in columns 2, 3 and 4 of Table 1 of the Aquifer Interference Policy for each relevant water source listed in column 1 of that Table.</td>
<td>4.3</td>
</tr>
<tr>
<td><strong>12: Compatibility with other land uses</strong></td>
<td>Consideration is given to:&lt;br&gt;• the existing uses and approved uses of land in the vicinity of the development;&lt;br&gt;• the potential impact on the preferred land uses (as considered by the consent authority) in the vicinity of the development; and&lt;br&gt;• any ways in which the development may be incompatible with any of those existing, approved or preferred land uses.&lt;br&gt;The respective public benefits of the development and the existing, approved or preferred land uses are evaluated and compared.&lt;br&gt;Measures proposed to avoid or minimise any incompatibility are considered.</td>
<td>4.1.5.3 Various Section 4 subsections Various Section 4 Subsections</td>
</tr>
<tr>
<td>Relevant SEPP Clause</td>
<td>Description</td>
<td>EIS Section</td>
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</table>
| 2A: Consideration of voluntary land acquisition and mitigation policy | Before determining an application for consent for State significant development for the purposes of mining, petroleum production or extractive industry, the consent authority must consider any applicable provisions of the voluntary land acquisition and mitigation policy and, in particular:  
(a) any applicable provisions of the policy for the mitigation or avoidance of noise or particulate matter impacts outside the land on which the development is to be carried out, and  
(b) any applicable provisions of the policy relating to the developer making an offer to acquire land affected by those impacts. | Not Applicable |
| 13: Compatibility with mining, petroleum production or extractive industry | Consideration is given to whether the development is likely to have a significant impact on current or future mining, petroleum production or extractive industry and ways in which the development may be incompatible.  
Measures taken by the Applicant to avoid or minimise any incompatibility are considered.  
The public benefits of the development and any existing or approved mining, petroleum production or extractive industry must be evaluated and compared. | Not Applicable |
| 14: Natural resource and environmental management | Consideration is given to ensuring that the development is undertaken in an environmentally responsible manner, including conditions to ensure:  
• impacts on significant water resources, including surface and groundwater resources, are avoided or minimised;  
• impacts on threatened species and biodiversity are avoided or minimised; and  
• greenhouse gas emissions are minimised and an assessment of the greenhouse gas emissions (including downstream emissions) of the development is provided. | 4.2 & 4.3  
4.7  
Not Applicable |
| 15: Resource recovery | The efficiency of resource recovery, including the reuse or recycling of material and minimisation of the creation of waste, is considered. | 1.4.3 |
| 16: Transportation | The following transport-related issues are considered.  
• The transport of some or all of the materials from the Project Site by means other than public road.  
• Limitation of the number of truck movements that occur on roads within residential areas or roads near to schools.  
• The preparation of a code of conduct for the transportation of materials on public roads. | 2.10  
2.8  
4.6.5 |
| 17: Rehabilitation | The rehabilitation of the land affected by the development is considered including:  
• the preparation of a plan that identifies the proposed end use and landform of the land once rehabilitated;  
• the appropriate management of development generated waste;  
• remediation of any soil contaminated by the development; and  
• the steps to be taken to ensure that the state of the land does not jeopardize public safety, while being rehabilitated or at the completion of rehabilitation. | 2.13  
2.10  
2.13  
2.13 |
State Environmental Planning Policy No 55—Remediation of Land

This SEPP is intended to “provide for a Statewide planning approach to the remediation of contaminated land.” In particular, Clause 7 of the SEPP states that:

“(1) A consent authority must not consent to the carrying out of any development on land unless:

a) it has considered whether the land is contaminated, and
b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out”.

The Applicant notes that sections of the Mine Site, in particular the Tailings Storage Facilities that would be rehabilitated as part of the Proposal, may be classified as contaminated. However, the Applicant also contends that the land within in the Mine Site is suitable in its contaminated state for the purpose for which the development is to be carried out.

3.3.5 Local Planning Issues

The Applicant notes that the Mine Site is situated on land zoned as RU1 – Primary Production under the Coolamon Local Environment Plan 2011 (Coolamon LEP) (Figure 1.2). The objectives of Zone RU1 – Primary Production are as follows.

- “To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To encourage tourist and visitor accommodation that does not have an adverse impact on agricultural activities.”

Open cut mining is an activity that is permissible with consent within this zone. In alternative, Clause 70(1)(b) of the Mining SEPP identifies that mining is permissible, with consent, on any land where agriculture is permissible. As agriculture is permissible under Zone RU1 under the Coolamon LEP, mining and associated reprocessing of tailings material is also permissible, with consent.

In addition, sections of the Mine Site are identified as “Sensitive Areas” on the Natural Resource – Biodiversity Map under the Coolamon LEP. Clause 6.1 of the Coolamon LEP identifies the following.

“(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider any adverse impact from the proposed development on the following:

a) native ecological communities.

b) the habitat of any threatened species, populations or ecological community.”
c) regionally significant species of fauna and flora or habitat.

d) habitat elements providing connectivity.

(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

a) the development is designed, sited and will be managed to avoid any adverse environmental impact, or

b) if that impact cannot be avoided – the development is designed, sited and will be managed to minimise that impact, or

c) if that impact cannot be minimised – the development will be managed to mitigate that impact.”

The impact of the Proposal on biodiversity has been considered in Envirokey (2016), a summary of which is described in Section 4.7.

Similarly, sections of the Mine Site are identified as “Sensitive Areas” on the Natural Resource – Land Map under the Coolamon LEP. Clause 6.2 of the Coolamon LEP identifies the following.

“(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider any adverse impact from the proposed development on the following:

a) the geotechnical stability of the site.

b) the probability of increased erosion or other land degradation processes.

(4) Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

a) the development is designed, sited and will be managed to avoid any adverse environmental impact, or

b) if that impact cannot be avoided – the development is designed, sited and will be managed to minimise that impact, or

c) if that impact cannot be minimised—the development will be managed to mitigate that impact.”

The impact of the Proposal on land with respect to erosion and sediment control has been considered in RWC (2016), a summary of which is described in Section 4.2.

Furthermore, sections of the Mine Site are identified as “Sensitive Areas” on the Natural Resource – Water Map under the Coolamon LEP. Clause 6.3 of the Coolamon LEP identifies the following.

“(3) Before determining a development application for development on land to which this clause applies, the consent authority must consider any adverse impact from the proposed development on the following:

a) the water quality of receiving waters.

b) the natural flow regime.

c) the natural flow paths of waterways.

d) the stability of the bed, shore and banks of waterways.

e) the flows, capacity and quality of groundwater systems.
Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:

a) the development is designed, sited and will be managed to avoid any adverse environmental impact, or

b) if that impact cannot be avoided – the development is designed, sited and will be managed to minimise that impact, or

c) if that impact cannot be minimised – the development will be managed to mitigate that impact.”

The impact of the Proposal on receiving waters with respect to water quality has been considered in RWC (2016), a summary of which is described in Section 4.2.

3.4 ANALYSIS OF ENVIRONMENTAL RISK

Risk is the chance of something happening that will have an impact upon the objectives of a task. In the present case, the relevant objective is the construction and operation of the Proposal with minimal adverse impacts on the surrounding environment.

Risk is measured in terms of consequence (severity) and the likelihood (probability) of the event happening.

The assessment of risk was firstly established based upon the adoption of the controls and mitigation measures that are standard throughout the mining industry. This level of risk was referred to as the risk with standard control measures. It was recognised that where it would be necessary to reduce the potential impacts beyond that achieved with standard control measures to a level considered both achievable and worthwhile, further controls or mitigation measures would need to be adopted. This level of impact after the adoption of the additional controls was referred to as residual risk. In some cases, it was accepted that the standard controls and mitigation measures would be adequate to achieve an acceptable level of impact without the need for any additional controls or mitigation measures or that the risk was already as low as reasonably practical.

Each risk source was allocated a ranking based on the potential consequences and likelihood of occurrence and in accordance with Australian Standards HB 203:2006 and AS/NZS 4360:2004. The risk analysis considers the Proposal first with the adoption of standard control measures initially and then with all proposed control measures in order to evaluate the impact of the Proposal.

Section 5.1 presents the results of the risk analysis.

3.5 PRIORITISATION OF KEY ENVIRONMENTAL ISSUES

The prioritisation of the key environmental issues as a result of the risk analysis, and hence their general order of presentation in this document, has been established through reference to the following.

- The results of the Government agency and community consultation process described in Section 3.2.
The environmental issues identified by this identification process are the following.

1. Surface Water
2. Groundwater.
3. Air Quality
5. Transportation and Traffic.
6. Ecology
10. Socio-Economic.